

**FINAL**



**WEARE BOARD OF SELECTMEN  
MEETING MINUTES  
June 1, 2009**

**PRESENT:** TOM CLOW, CHAIRMAN; RICHARD W. BUTT, VICE CHAIRMAN; DONNA OSBORNE, SELECTMAN; JAMES DONISON, SELECTMAN

**RECORDING SECRETARY:** Cherry Palmisano

**GUESTS:** Greg Begin, Gene Propper, George Malette, Warren Stiles, Jon Osborne, Jan Snyder, Bob Richards, Ian McSweeney, Sherry Burdick, Ruth Jones

**7:00 p.m. Chairman Clow called the meeting to order.**

**PUBLIC COMMENT** – Mr. George Malette presented the Board with a copy of Joseph Stone's gift to the Town of Weare of the Stone Memorial Building.

Mr. Malette said there is an all day workshop on June 20, 2009 regarding monies available to the town in the form of Stimulus, Reggie Fund, Utilities, Jordan Institute. The workshop has 5 different tracks, they allow up to 5 people to attend. Mr. Malette can only attend 1 of the tracks and asked the BOS if they feel it is worth it to have someone else attend. Chairman Clow said they will take up the discussion at the end of the meeting.

Mr. Gene Propper, representing the Lake Horace Landowners (LHLOC) informed the Board of an application to place a hydro plant on the Lake Horace Dam that was filed by Northeast Hydrodevelopment, LLC. He is bringing this issue to the Board because it affects the town. Mr. Propper said the letter is dated May 4, 2009 and deadlines to submit comment are 60 days from then. The LHLOC decided to bring this forth to the Board. He asked if the town is aware of this application and the environmental concern for downstream and for the lake. Mr. Propper said the LHLOC does not hold a position for or against, but they need more information and the town needs to know more. Mr. Propper questions who will benefit from the electricity and how it will affect the town or be sold outside of town. Mr. Propper wants the Board to review the information he has given them. Chairman Clow said he appreciates being given the information because they were not aware of the situation.

Mr. Ian McSweeney, works for the Russell Foundation, said they are aware of the application. Mr. McSweeney said this is an application to study the feasibility of putting in the hydro plant. Approval was given to Northeast Hydrodevelopment and they have a 3 year period of study. He said he questions the draw down of the lake as well, if the town will be reimbursed for land usage and who will benefit from the electricity produced.

**APPOINTMENT TO CABLE COMMITTEE** – Chairman Clow explained to Mr. Warren Stiles how they have asked all new committee members to meet with them so the Board can know who is volunteering in the town. Mr. Stiles said he has the time and is knowledgeable of the equipment; he does not have cable at home. He has lived in Weare for a long time and would like to volunteer. Vice Chairman Butt asked if it was the first time he served the town in volunteering. Mr. Stiles said yes.

**Vice Chairman Butt moved, Selectman Osborne seconded to appoint Warren Stiles as a full member of the Cable Committee for a three year term. Passed 4-0-0**

**DEPARTMENT HEAD** – Chief Begin discussed the contract for the reimbursement for the Police Department to check the Hopkinton Everett Dam Lake Area; specifically the Corp of Engineers building. Chief Begin said they try

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and do this 2 times a day anyway. It was discussed since the Corp of Engineers will not be around they would like to pay/reimburse the town for their services. This patrol includes the Hopkinton Everett Dam Lake Area; just the dam and the house at the end of the dam. The WPD will walk the area twice a day; this has nothing to do with the beach. The Corps of Engineering is concerned because there recently was a break in at the dam control tower. Selectman Osborne asked why the Weare PD is involved in the patrolling. Chief Begin said because it is in the Town of Weare. Selectman Osborne asked if this was done in the past. Chief Begin said they have always patrolled the area, but never went out and walked it before. Selectman Donison asked if the amount is fair reimbursement. Chief said they do this anyway, so why not get reimbursed for it. Chairman Clow asked if they should be nervous about 1 officer going in there during the middle of the night. Chief Begin said he would do it anyway, if the officer were to find something suspicious he would call for back up. Vice Chairman Butt asked how the billing would be handled. Chief Begin said they would be sending a bill from the Police Department with a copy of the log. Vice Chairman Butt said we are paying the officers salary anyway and then the reimbursement will go into the General Fund. Chief Begin said no additional hours will be needed unless they find a problem; this just provides the town with reimbursement for the patrol.

**Chairman Clow moved, Selectman Donison seconded to authorize Chief Begin to sign the Cooperative Agreement between the United States of America and the Weare Police Department for the Hopkinton Everett Dam. Passed 4-0-0**

**RE-APPOINTMENT TO SNHPC** – Chairman Clow said Mr. Ian McSweeney just completed a three year term and this would be his second term. Vice Chairman Butt said this position is appointed by the Planning Board. Mr. McSweeney took over during a mid term vacancy. Vice Chairman Butt asked Mr. McSweeney if he is satisfied with the Southern New Hampshire Planning Commission. Mr. McSweeney said he is and feels they are centrally located and he feels Weare is the largest growing town in the Commission. Mr. McSweeney said the fees are the lowest and they have kept their fees stable. Chairman Clow commented that Mr. McSweeney's primary job focuses mainly with conservation. Mr. McSweeney said a lot of what the present director of the SNHPC focuses on is smart growth; can't conserve all the land, can't develop all the land and he believes in that philosophy.

**Selectman Donison moved, Selectman Osborne seconded to re-appoint Mr. Ian McSweeney to the Southern New Hampshire Planning Commission. Passed 4-0-0**

**DEPARTMENT HEADS** – Mr. Jon Osborne, Chairman of Board of Fire Wards, informed the Board of a \$500 expenditure that will be coming out of the Fire Department's fuel line. Mr. Osborne said they have computer work that needs to be done and asked the Board if they need to utilize the same computer person as the Town Office does. Chairman Clow said the Fire Department and Police Department are all tied in to the town's computer system. Mr. Osborne said the person who did work for the Town Office's had done some work over at the building and lost some valuable software that the Fire Department's secretary utilizes. Mr. Osborne said they would like to connect the secretary's computer into the Fire Chief's computer and they need to get a price quote to do the work. Chairman Clow said the backup of the computers in that building has been an issue. Vice Chairman Butt does not know why the Board of Fire Wards would want to utilize another vendor and he would prefer the same vendor be utilized. It was discussed it was the Fire House software program that was lost. Vice Chairman Butt said they need to discuss the cost issue, he does not know how much is left in the Capital Reserve Fund, but knows it is slim. It was discussed there is no backup of the computer system at the Fire Department and there are also storage issues. Mr. Osborne said they would like to connect to the Police Departments server. Chairman Clow thinks they had an estimate to back up everything and take care of the storage for around \$5,000.

Mr. Osborne reminded the Board of a request made back in January to purchase 5 fire proof file cabinets for the Fire Department. Mr. Osborne said LGC could not believe that these cabinets are not fire proof. Mr. Osborne said this was discussed with a previous Board to expend approximately \$1,000 to purchase these file cabinets. Chairman Clow feels this request was already approved. Mr. Osborne said they are looking at approximately \$950.00. Vice

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Chairman Butt feels the purchase needs to be made through the Fire Department's budget. Vice Chairman Butt said if the budget looks tight then they need to come back before the Board.

Assistant Fire Chief Richards presented a CIP request for thermal imagery cameras that was originally started 8 years ago. They would like to purchase 2 thermal imagery cameras for less than \$10,000. Fire fighters used the equipment on a trial basis. Mr. Richards said this would allow there to be a camera on every front line engine. Mr. Richards said these cameras give the ability to see through zero visibility smoke. It was discussed there is \$28,206.49 in the account, total price for project \$9,590. Vice Chairman Butt asked if there are any other plans to utilize that fund. Mr. Richards said in 2012 they planned on purchasing a new camera but that would be voided now with this purchase.

**Vice Chairman Butt moved, Selectman Donison seconded to approve the expenditure of \$9,950 from the Fire Equipment Capital Reserve Fund for the purchase of 2 thermal imagery cameras. Passed 4-0-0**

### MANIFESTS

**Chairman Clow moved, Selectman Osborne seconded, to authorize the Board of Selectmen to sign Manifest and order the Treasurer or Deputy Treasurer to sign checks dated June 4, 2009. Passed 4-0-0**

Accounts payable	\$82,352.43	
Gross Payrolls	<u>\$39,222.78</u>	(includes Spec Detail, Credit Union, Taxes)
Total	\$121,575.21	

### MEETING MINUTES

**Chairman Clow moved, Vice Chairman Butt seconded to approve the minutes of May 18, 2009 as amended. Passed 3-0-1. Selectman Osborne abstained**

**Chairman Clow moved, Selectman Osborne seconded to approve the minutes of May 22, 2009 as written. Passed 3-0-1. Selectman Donison abstained**

**STONE BUILDING** – Chairman Clow said prior to their last meeting he was unaware that Primex had reimbursed the town \$1,885 for damages caused to the Stone Building in November of 2003. Ms. Sherry Burdick said she brought the issue of the money from Primex up a month prior to the meeting. Vice Chairman Butt said the cost for the repair of damages, estimated by the town, was \$2,885. The town received a check for \$1,885 after the \$1,000 deductible. Vice Chairman Butt said the Trustees got involved, a quote was received by the Trustees to repair damages for the Stone Building rotunda for \$500, a letter was sent to Mr. Issak stating the Trustees voted unanimously to accept his offer, and the company was notified that the roof was repaired for \$12,000 which was voted on by the Board. Another letter went to Mr. Issak to schedule the work at his convenience, from Ruth Jones. Mr. Issak submitted a quote to Ruth Jones stating he could do the repairs for \$500 and should not take more than a day. Vice Chairman Butt said the finials were discussed last year and he feels they agreed to do this, and feels it should be done, but as far as the interior work he would like to see if the Trustees of the Trust Fund would pay for it. Chairman Clow asked if there was \$12,000 spent to repair the roof. Vice Chairman Butt said Selectman Cook made the motion, which passed to have the roof repaired in October 2003. Vice Chairman Butt said it would make sense that after the roof was repaired that the interior painting be done. Vice Chairman Butt said they agreed to re-paint the finials but not the interior. Vice Chairman Butt said it had been discussed that the Trustees of the Trust Fund agreed to pay for the interior work.

Ms. Sherry Burdick said the finials are solid copper and do not require painting, she is hand cleaning them. She said the soddering was not done properly and caused water damage. Ms. Burdick said Mr. Isaak came back after the roof was repaired and further damage was done. Ms. Burdick said Skyline Roofing was not the right company to do the repairs. Chairman Clow asked if the finials are solid copper why they need repair. Ms. Burdick said they were pushed out of place and never fixed, damage was done in 2003. Chairman Clow said 2 issues, finials and damage caused by ice and snow. Vice Chairman Butt said they received a settlement for \$1,885, not sure where the money

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went, not sure why the Trustees were involved. Vice Chairman Butt feels if the price for repairs has tripled to \$1,500 he feels they should go back and discuss this with the Trustees.

Ms. Ruth Jones said Mr. Issak is state approved and was recommended to the Trustees. Ms. Jones said the Emma Sawyer Trust Fund had paid for the water damage. Mr. Issak replaced the missing paint, then there was leakage again after that was done, he came back again and quoted \$1,500; they didn't have any repair done until after they knew the leaking roof was repaired. Ms. Jones said the town submitted a claim to the insurance company and the town received payment from the insurance company. Ms. Jones said the roof has not been complete for very long.

Chairman Clow said the actual quote for painting the exterior trim was actually \$2,500. Ms. Burdick said she did receive prices for the finials but no one would guarantee their work; she is doing the work herself. Ms. Burdick said Walker Roofing said they would reinstall them to the new roof which was included in the original price. Vice Chairman Butt would like to go back to the Trustees to see if they will pay for the repairs. Ms. Jones does not believe they should go to the Trustees because the money was paid to the town to repair the damage done and that is how it should be spent.

Ms. Jan Snyder said the check was received in 2004 and went into the General Fund. She said unless funds were encumbered at the years end it went into the General Fund and said it was probably an oversight that the money wasn't encumbered. Chairman Clow said he does agree that if money came in through insurance settlement for the Stone Building then they have an obligation to put the money into the building. Vice Chairman Butt said it is putting them in a position that something that should have been done 4-5 years ago, he would like to research where the money went. Vice Chairman Butt asked where the money would come from to do the repairs now. Ms. Jones hopes the Board can make their decision in a short time. Selectman Donison said the Building Committee will meet again in 2 weeks to set priorities. Vice Chairman Butt said when setting priorities they have to consider that money is limited. Ms. Burdick said there is mold there around the wood work as well and it needs to be repaired. Chairman Clow said there needs to be an attempt made to track the money.

**DISCUSSION OF HOLDING A PUBLIC HEARING TO ACCEPT GIFTS** – Chairman Clow said Naomi Bolton did some research and it was determined the Board can accept gifts up to an amount of \$5,000 without a public hearing. There is no finalized policy. The Board agrees anything up to \$5,000 can be accepted without a public hearing but anything beyond that requires a public hearing.

**ADMINISTRATIVE REPORT** – Chairman Clow said the Board met in non public session for the purchase of phone interviews on Saturday. They were scheduled to conduct 9 phone call interviews, 1 candidate dropped out and they held 8 interviews. Of the people that they called 4 will be invited for face to face interviews. Chairman Clow said Primex is working with the town in the process. They originally received 65 applications; a preliminary screening was done by Chairman Clow and Vice Chairman Butt. There were 40-42 applications brought before the Board for screening along with 2 people from Primex. They then came up with the top 10 candidates, 1 did not respond and 1 dropped out. Chairman Clow said they have a back up group they are holding in limbo until the final candidate is hired.

**CORRESPONDENCE** – Selectman Osborne asked if Paul King was still working with the Fire Department. Chairman Clow said he submitted his report and unless he is needed he is done.

Selectman Osborne mentioned receiving complaints that a paving company has been starting too early on Abijiah Bridge Road. It was discussed the paving company is town contracted and the town will tell have to set hours of operation. There is also a similar issue on Merrill Road, although that paving company is privately operated.

Selectman Osborne discussed the need for department heads to report employee injuries within a 5 day window or the town gets fined. There was an accident in the Police Department that was not reported and the town was fined \$100.

Selectman Osborne mentioned Clough State Park Beach. She said she had people approach her because at a previous BOS meeting Jim Carney said Weare owns the beach. The Federal Government actually owns the property.

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The Board discussed the Transfer Station will be closed on Saturday, July 4th and open on Friday, July 3<sup>rd</sup>; the hours will be posted.

Chairman Clow mentioned an abatement request from a resident who is asking to come before the Board. Vice Chairman Butt said it sounds like Avitar is measuring the outside of the home and asked if it would be a possibility to have the Code Enforcement Officer measure the inside of the home. Selectman Donison said if Avitar is consistent with how they measure the outside of all homes, then that is how it is done. Chairman Clow said in sending someone out to measure the interior, does that mean that is how they will do it and how will they be consistent. Selectman Donison said they should have the Code Enforcement Office have a discussion with Avitar and then he can explain the measurements to the homeowner and then report back to the Board. Chairman Clow said it is consistency that counts and he does not want to put the Code Enforcement Officer in a bad position. Vice Chairman Butt suggests that the Code Enforcement Officer contact Avitar and the homeowner and clarify the difference in measurements. Chairman Clow will review the situation with Judy Rogers, Chip Meany and Naomi Bolton.

Chairman Clow said this month their 2 regular meetings fall early and the last 2 Mondays they will have no meetings. Chairman Clow asked if they would like to hold a work session on the personnel policy. The Board agreed to hold a work session on June 22. The work session will start at 7:00 p.m. and be 2 hours. The Board would like to have Naomi Bolton present.

Chairman Clow mentioned George Malette bringing up the workshop on June 20, 2009. It was determined no Board members are available to attend.

**Chairman Clow moved, Vice Chairman Butt seconded to enter into non public session @ 9:04 p.m. pursuant to the authority granted in RSA 91-A:3, II (e). A roll call vote was taken, Vice Chairman Butt – yes; Selectman Osborne – yes; Selectman Donison – yes; Chairman Clow – yes. Passed 4-0-0**

**Chairman Clow moved, Vice Chairman Butt seconded to come out of non public session @ 9:20 p.m. A roll call vote was taken, Vice Chairman Butt – yes; Selectman Osborne – yes; Selectman Donison – yes; Chairman Clow – yes. Passed 4-0-0**

## ADJOURNMENT

A True Record.

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Cherry Palmisano, Recording Secretary